

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS**

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MAURA O'NEILL, as administrator of the Estate  
of Madelyn E. Linsenmeir,

Plaintiff,

v.

CITY OF SPRINGFIELD, *et al.*

Defendants.

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C.A. No. 20-30036-MGM

**JOINT MOTION TO EXTEND FILING DATES**

The parties jointly move the Court to extend the deadlines for filing the joint pretrial memorandum and other pretrial materials, as described below. As reasons therefor, the parties state as follows.

1. On April 24, 2024, the Court allowed Plaintiff's motion to continue the trial from May 20, 2024.
2. The Court stated its preference to reschedule the trial to begin on September 9, 2024, and directed the parties to confer and check with witnesses regarding availability.
3. Counsel conferred. Plaintiffs' counsel are available to begin the trial on September 9, 2024. Defendants' counsel are still trying to confirm availability. Atty. Thomas E. Day has a trial currently scheduled to begin on September 9, 2024, but is hopeful that the trial can be rescheduled. Atty. Michael McDonough also has a trial scheduled to begin September 16, 2024 and last at least one week. Atty. McDonough is also hopeful that the trial can be rescheduled to accommodate the trial in this matter. Counsel are still contacting witnesses

and will report to the Court at the May 7, 2024 status conference on the feasibility of September 9 date and, if necessary, with other proposed dates. Counsel for the Defendants has encountered scheduling difficulties with some of their experts and are trying to work those out to accommodate the September trial date.

4. The Court's April 24, 2024 order stated that the other pretrial deadlines set forth in the Trial Procedural Order (Dkt. 217) remain intact.
5. In keeping with that order, the parties have submitted motions in limine and oppositions thereto.
6. Under the current schedule, the joint pretrial memo is due Friday, May 3, 2024.
7. The following materials are due Monday, May 13, 2024: exhibit and witness lists, proposed voir dire questions, proposed jury instructions and verdict form.
8. Some of the information necessary to complete these filings remains unknown, such as the possible testimony of two key witnesses, Alexandria Cox and Haylee Champagne, whose depositions have yet to take place (the parties are trying to arrange them for sometime in May).
9. More fundamentally, the parties believe that additional time to prepare the submissions will result in far more thorough and helpful materials for the Court that will allow this legally and factually complex trial to proceed more efficiently. Furthermore, extending these deadlines will permit counsel to continue the work related to rescheduling the trial so that counsel can determine whether the September 9, 2024 trial date is feasible.
10. The parties request that the deadlines for these submissions be set for a time closer to the trial date.

**WHEREFORE,** The parties request that the Court extend the deadlines for submission of the joint pretial memorandum, the exhibit and witness lists, the proposed voir dire questions, and the proposed jury instructions and verdict form to a time that is aligned with the new trial date once that is set.

Respectfully submitted,  
Maura O'Neill, as administrator of the  
Estate of Madelyn E. Linsenmeir,

/s/ Daniel L. McFadden  
Jessie J. Rossman (BBO# 670685)  
Daniel L. McFadden (BBO# 676612)  
Julian Bava (BBO# 712829)  
American Civil Liberties Union  
Foundation of Massachusetts, Inc.  
One Center Plaza, Suite 850  
Boston, MA 02108  
(617) 482-3170

David Milton (BBO# 668908)  
Prisoners' Legal Services of Massachusetts  
50 Federal St.  
Boston, MA 02110  
(617) 482-2773

Martin M. Fantozzi (BBO# 554651)  
Richard J. Rosensweig (BBO# 639547)  
Julius Halstead (BBO# 705428)  
Kiman Kaur (BBO# 709943)  
Goulston & Storrs PC  
400 Atlantic Avenue  
Boston, MA 02110  
(617) 482-1776

Defendants, Hampden County Sheriff's  
Department, by its attorney,

/s/ Thomas E. Day  
Thomas E. Day, Esq. BBO #655409  
Special Assistant Attorney General

Lauren F. Olanoff, Esq. BBO#669371  
Michael G. McDonough, Esq. BBO#682128  
Egan, Flanagan and Cohen, P.C.  
67 Market Street, P.O. Box 9035  
Springfield, MA 01102-9035  
(413) 737-0260  
Fax (413) 737-0121  
ted@efclaw.com  
lfo@efclaw.com  
mgm@efclaw.com

Dated: May 2, 2024

**LOCAL RULE 7.1 CERTIFICATE**

I hereby certify that the parties conferred in a good faith effort to narrow or resolve the issues raised by this motion, and parties agreed that this is a joint motion.

Dated: May 2, 2024

/s/ Daniel L. McFadden

**CERTIFICATE OF SERVICE**

I hereby certify that on May 2, 2024, I served the foregoing document on all parties by filing it via the Court's CM/ECF system and that a copy will be sent via the CM/ECF system electronically to all counsel of record.

Dated: May 2, 2024

/s/ Daniel L. McFadden